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Held at Headquarters, New York,
on Wednesday, 12 September 1990, at 10 a.m.

President: Mr. GARBA (Nigeria)

- Enhancing the effectiveness of the principle of periodic and genuine elections: draft resolution [114] (continued)

- Policies of apartheid of the Government of South Africa [28]: (continued)

  (a) Report of the Secretary-General

  (b) Report of the Special Political Committee

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The meeting was called to order at 10.35 a.m.

AGENDA ITEM 114 (continued)

ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS: DRAFT RESOLUTION (A/44/L.67)

The PRESIDENT: In connection with this item, the Assembly has before it a draft resolution entitled "Assistance to Haiti", contained in document A/44/L.67.

I now call on the Permanent Representative of Belize, who will introduce the draft resolution.

Mr. ROGERS (Belize): Draft resolution A/44/L.67 for assistance to Haiti emanates from requests by Mrs. Ertha Pascal-Trouillot, Head of the Provisional Government of the Republic of Haiti, in her letters of 23 June and 9 August to the Secretary-General of the United Nations, Mr. Javier Pérez de Cuéllar.

The draft resolution seeks to ensure free and fair elections in Haiti as that country moves forward on the path of democracy. It reaffirms the right of the people of Haiti to determine their own destiny and calls on the United Nations to provide technical and administrative support in the electoral process in that country. In its request for assistance from the United Nations, the Provisional Government of Haiti clearly outlines its urgent needs in the observation and verification of the electoral process.

Draft resolution A/44/L.67 requests the Secretary-General of the United Nations, in co-operation with regional organizations and Member States, to make available to the Haitian Government observers who would arrive in Haiti prior to voter registration and would leave after the elections; additional observers at the time of the elections and voter registration; assistance in the planning of security of the elections; and observation of the implementation of the electoral security plans by specialized staff.

(Mr. Rogers, Belize)

Equally clear in its request for United Nations assistance is the Haitian Government's position that it does not wish for and is not requesting the dispatch of Blue Helmets or any peace-keeping force. After careful consideration and mindful of Haiti's aspirations for stability and a democratic way of life after years of political instability, the Group of Latin American and Caribbean Countries has given its support to the draft resolution.

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The PRESIDENT: I should like to inform members that action on draft resolution A/44/L.67 will be taken on Friday, 14 September, in the afternoon after consideration of item 28, "Policies of apartheid of the Government of South Africa".

AGENDA ITEM 28 (continued)

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA:

(a) REPORT OF THE SECRETARY-GENERAL (A/44/960 and Add.1 and 2);

(b) REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/44/709/Add.1)

The PRESIDENT: Members will recall that, pursuant to decision S-16/24 adopted by the Assembly on 14 December 1989 at its sixteenth special session, the Assembly, at its 95th plenary meeting, met on 20 July to consider this item and to hear the Secretary-General introduce his report on the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa. At that meeting, the Assembly decided that it would resume its consideration of item 28 from 12 to 14 September 1990 in order to examine in depth the report of the Secretary-General, which was circulated in documents A/44/960 and Addenda 1 and 2.

In that connection, I should like to draw the attention of the General Assembly to the report of the Special Political Committee, which was circulated in document A/44/709/Add.1.

I now call on the Secretary-General of the United Nations.

The SECRETARY-GENERAL: On 20 July this year, I introduced for consideration by the Assembly my report on the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa. That report, contained in document A/44/960 of 1 July 1990 and its addenda, was submitted in response to the request addressed to me by the Assembly at its sixteenth special session. I mentioned at that time that I would continue

(The Secretary-General)

to follow the situation closely and would inform the Assembly of any major developments that take place.

It was the intention of my report and of the mission that I arranged to send to South Africa to be factually objective and to reflect as wide a range of views as possible. To achieve that aim, the members of the mission met with virtually all political organizations and movements. The Secretary-General of the Organization of African Unity was good enough to make available to me a copy of the report of the Organizations's Monitoring Group, which provided its assessment of the situation.

In my report, I stated that a process had started towards the dismantling of apartheid through negotiations, although it was still at an early stage. A number of measures had been initiated towards creating an appropriate climate for negotiations. In this regard, the action taken by the South African Government to lift the ban on political parties and movements was of particular significance.

While welcoming those developments, I made clear that other essential measures stipulated by the General Assembly in its Declaration remained to be fulfilled in their entirety. They included the release of all political prisoners and detainees, the end of the state of emergency throughout the country, the repeal of all legislation designed to circumscribe political activity, the removal of all troops from the townships and the cessation of all political trials and political executions.

Almost two months have elapsed since the introduction of my report, but I regret it is not possible for me today to inform the Assembly that those measures have been implemented in their totality, although some further steps have been taken in that direction. What I stressed at that time remains valid today - that continuing resistance to change on the part of the entrenched apartheid structures of the system, as well as existing security legislation, continue to inhibit free

(The Secretary-General)

political activity. I also emphasized that the issue of violence, not least in Natal, needs to be addressed urgently and at the highest level. If allowed to continue unrestrained, it could critically impair the current process towards political change.

I had also expressed the hope that further progress would be made towards creating an appropriate climate for negotiations in light of the contacts that had commenced between the Government and the African National Congress of South Africa (ANC). In that context, I was glad to learn of the successful outcome of their meeting in Pretoria on 6 August, as reflected in their Joint Declaration. The implementation of the various agreements set out in that document will without doubt strengthen the prospects for early substantive negotiations involving all parties concerned.

In particular, the Joint Declaration approved the recommendations of the bipartisan Working Group, referred to in paragraphs 42 and 43 of my report, concerning the release of prisoners and the granting of indemnity. Under its terms, a plan would be drawn up for the release of ANC-related prisoners as well as the granting of indemnity to groups of persons in a phased manner. The Government undertook to consider lifting the state of emergency in Natal as soon as possible and to repeal certain provisions of the Internal Security Act. The ANC also took a very positive step by announcing in that document that it was suspending all armed actions

"in the interest of moving as speedily as possible towards a negotiated peaceful political settlement and in the context of the agreements reached".

The Joint Declaration of Pretoria reflects determination and clarity of vision, particularly as it was concluded at a time of great national turmoil. The Government and the ANC did not allow the rising tide of violence to sway them from their course. In that regard, I am sure that the Assembly shares my profound sense

(The Secretary-General)

of anguish and deep concern at the continually spiralling cycle of violence in South Africa. Indeed, it can tear the fragile fabric of understanding that has begun to be woven. Each day brings fresh reports of deaths and eruptions of violence. Its source has been attributed variously to factional strife, to complicity of elements of the security forces and to terrorist activities by the extreme right. It is not my intention to apportion blame or responsibility. Maintenance of law and order is a primary duty of the Government but it is incumbent upon all parties concerned to contribute to the creation of an atmosphere in which negotiations can take place unhindered by fear.

It would be remiss of me not to express special concern about the growing allegations of the culpability of elements of the security forces in these incidents. That is all the more disturbing since the effective discharge of their responsibilities requires that they carry with them public trust and confidence.

The very recent report of the Goldstone Commission of Inquiry instituted by the South African Government reflected adversely on the conduct of some police officials and suggests the need for impartial investigation of incidents involving the security forces. The South African Government has committed itself to undertake consideration of the lifting of the state of emergency in Natal as early as possible. It is my hope that urgent consideration will also be given to the Transvaal province, where emergency regulations were recently imposed.

As was stated in my report, apartheid laws and repressive security regulations have adversely affected domestic tranquility and the people's sense of security and well-being. I am encouraged to see that the South African Government has undertaken in its Joint Declaration with the ANC to:

> "continue reviewing security legislation and its application in order to ensure free political activity and with the view to introducing amendments to the legislation at the next session of Parliament."

(The Secretary-General)

It is also my hope that there will be an early repeal of the basic legislative structures of apartheid, two of which the Government announced it is planning to repeal early next year. Almost all political movements and organizations in South Africa remain convinced, and this is expressed in my report, that racial discrimination will continue to fracture its society until the pillars of apartheid are removed.

These have contributed to stark social and economic divisions which remain to be bridged. Indeed, the present violence is widely seen to be rooted in the structures of apartheid: the homeland policy and the migrant labour system.

We are at a turning-point when the political process has been enhanced by the commitment of the South African Government, under President De Klerk, to dismantle the apartheid system, and by the constructive initiatives taken by the African National Congress of South Africa (ANC) and the statesmanship of its Vice-President, Mr. Nelson Mandela. I believe confidence-building measures at all levels can reduce violence and allow unimpeded progress towards a united, non-racial society. To that objective I am sure the overwhelming majority of South Africans and the international community stand committed.

I should like to refer to the Programme of Action in the Declaration adopted by the Assembly which decided, among other things, to step up all-round support for the opponents of apartheid; fully to observe the mandatory arms embargo; and to ensure that the international community does not relax existing measures aimed at encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes. I can report that, with very few exceptions, States Members have adhered to the Programme of Action, and this is reflected in the replies from those Governments that have cared to respond.

(The Secretary-General)

The United Nations and the Secretary-General can do no more in this regard than what is decided upon specifically by the Security Council and the General Assembly. It is the collective assertion of its resolve by the Assembly that can best ensure the implementation of the Programme of Action.

The United Nations can claim with legitimate pride that the international consensus commanded by the Declaration on apartheid provided impetus to the process of change that has begun in South Africa. It is a consensus that has united the Assembly. It is a consensus that must be maintained. It is a consensus that must unite South Africa.

The PRESIDENT: I thank the Secretary-General for taking the time to inform the Assembly of the major developments in the situation since the issuance of his report in July.

Before calling on the first speaker this morning, I should like to propose that the list of speakers in the debate be closed today at 6 p.m.

There being no objection, it will be so decided.

It was so decided.

The PRESIDENT: I therefore request those representatives wishing to participate in the debate please to inscribe their names on the list of speakers as soon as possible.

I now have the honour to call on the Chairman of the Special Committee against Apartheid, Mr. Ibrahim Gambari of Nigeria.

Mr. GAMBARI (Nigeria), Chairman of the Special Committee against Apartheid: Mr. President, it is indeed a special pleasure for me to congratulate you once again on your presidency of the General Assembly at its special session on apartheid and its destructive consequences in southern Africa. The current meetings of the General Assembly will mark the fourth occasion on which you preside over our affairs. I should therefore like to take the opportunity to congratulate

(Mr. Gambari, Chairman, Special Committee against Apartheid)

you once more on the manner in which you have directed the affairs of our Assembly during your tenure. It is the hope of my delegation and that of the Special Committee that once again your diplomatic skills will be brought into play to conclude this session as united as we were when the issues were focused upon last December.

I speak this morning on behalf of my delegation and the Special Committee against Apartheid, and it is in both capacities that I wish to congratulate the Secretary-General on his report which is now before us. Indeed, the report is quite comprehensive and reflects the situation inside South Africa. The members of the Secretary-General's staff deserve our commendation for the detailed report which the special session is about to consider.

In 1988, when Nigeria called for the special session during the ministerial meeting of the Movement of Non-Aligned Countries at Nicosia, later reaffirmed at the forty-third session of the General Assembly, we believed that the time had come for the members of the international community steadfastly to resolve the issue of the obnoxious policy of apartheid by expressing their united commitment and exhibiting their political will so that apartheid can indeed be dismantled peacefully.

The events that have unfolded in southern Africa since the 1989 special session reinforce our belief and conviction that with unity of purpose members of the international community can make South Africa a free, united and non-racial country rid of violence and bloodshed.

My delegation has taken due note of some positive developments in South Africa since the special session was held in 1989. Notable among such developments are President De Klerk's measures towards reform announced at the opening of Parliament

(Mr. Gambari, Chairman, Special Committee against Apartheid)

on 2 February 1990. In that announcement the De Klerk Government indicated that its final aim was:

"... a totally new and just constitutional dispensation in which every inhabitant will enjoy equal rights, treatment and opportunity in every sphere of endeavour, constitutional, social and economic."

Since then, some political prisoners have been released, including Mr. Nelson Mandela, who has easily become the greatest symbol of resistance and the conscience of the oppressed people of South Africa. In addition, the ban on political associations was lifted throughout the country.

In June, the country-wide state of emergency was lifted, except in the province of Natal and the KwaZulu homeland. Also in June, the South African Parliament removed one of the pillars of apartheid law by its adoption of the Discriminatory Legislation regarding Public Amenities Repeal Act and the abolishing of the Reservation of Separate Amenities Act No. 49 of 1953. This is to come into effect in October this year.

But one of the most significant developments inside South Africa since the special session on this agenda item was the main meeting held in Groote Schuur, Cape Town, between the representatives of the African National Congress of South Africa (ANC) and the Government for the purpose of removing obstacles to conducive negotiations. These "talks about talks" continued up until late last month, and we are yet to begin the negotiations proper. In spite of this, a process of change has begun in South Africa, a process that gives much hope for a future democratic South Africa, but also one which is fraught with serious obstacles. At the recent talks the ANC agreed to the cessation of armed struggle to enable negotiations proper to take off. Those changes are indeed important milestones in the struggle against and the history of the apartheid system in South Africa.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

As important as these changes are, my delegation firmly believes that they do not go far enough to make the process of dismantling apartheid irreversible. For instance, of the five conditions listed in the consensus Declaration for a conducive climate for negotiations, only one, that is the lifting of the ban on political organizations, has been fully met. Indeed, the racist Government has not shown enough readiness to deal with at least two of the fundamental principles in the Declaration, that is, the right to universal equal suffrage under a non-racial voters' roll, and the creation of an economic order that will promote the well-being of all South Africans.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

This brings me to the question of international pressure. In recent times there have been efforts by some Member States to relax sanctions on South Africa on the pretext that President De Klerk should be rewarded for the small progress made so far in that country. That call is being made once again by some countries that had previously argued against the imposition of comprehensive economic sanctions on the spurious grounds that the effects would be felt more by black South Africans. My delegation wishes to reiterate that comprehensive sanctions are indeed effective and when used along with the internal resistance of the liberation movements have proved quite instrumental in the ongoing changes in South Africa.

Why, then, should the international community abandon these measures which, in the view of my delegation, are the only credible alternative to violent change and unnecessary bloodshed? My delegation will, in this connection, therefore renew its appeal to the international community to consider the intensification of comprehensive sanctions against the Pretoria régime. Our call may seem out of tune with the international mood, especially in the light of the generally acclaimed "progress" made in recent months. That acclaimed "progress" is not supported by the realities inside South Africa, and the Secretary-General's report before us attests to our stand. The continued existence of the basic pillars of apartheid, such as the repressive security regulations, the bantustan homeland question and the persistent violence supported and encouraged by the State police, make it rather difficult to be persuaded that substantial progress has been made sufficient to warrant relaxation of existing sanctions.

We meet today to assess the evolution of this process. The basis of our evaluation is, of course, the report which was requested of the Secretary-General by the General Assembly at its special session. The report of the Secretary-General and its various addenda present a detailed and comprehensive picture of developments in South Africa.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

On 24 July 1990, the Special Committee against Apartheid, in a statement issued as GA/AP/1988, welcomed the report and agreed with the Secretary-General's assessment that although the process of change in South Africa had started it was still at a preliminary stage. In that statement, the Special Committee indicated that the report

> "puts an end once and for all to the views that were expressed in some quarters that profound and irreversible changes had already taken place in South Africa".

The Special Committee wishes to restate today that profound and irreversible changes have yet to take place.

It is well to remember that the Declaration made it clear that the Government of South Africa needed to undertake a series of measures to create a climate for negotiations, namely: to release all political prisoners and detainees unconditionally and refrain from imposing any restrictions on them; to lift all bans and restrictions on all proscribed and restricted organizations and persons; to remove all troops from the townships; to end the state of emergency and repeal all legislation, such as the Internal Security Act, designed to circumscribe political activity; and to cease all political trials and political executions.

Of the five conditions stipulated by the Declaration only the lifting of the ban on political parties and movements has been fully implemented. Even then, this is seriously fraught with danger from the existence of the provisions of repressive legislation, in particular the Internal Security Act, which has continued to threaten normal political activities.

Since the issuance of the report of the Secretary-General, further progress has been made on the implementation of some of the other measures, but the fact remains that the conditions have not been implemented in their totality. The

(Mr. Gambari, Chairman, Special Committee against Apartheid)

Special Committee is of the firm belief that the implemenation of these measures should be a priority and a responsibility of the South African Government. Until these measures are implemented, it cannot be said that an atmosphere of free political activity exists in South Africa and as such

"an essential condition to ensure that the people themselves participate in the process of remaking their country"

remains unfulfilled.

While the Special Committee welcomes the progress made towards change in South Africa and takes note of President De Klerk's declared intention to dismantle apartheid, it remains gravely concerned at the escalation of violence, not the least that which is taking place in Natal and more recently in the Transvaal province. The report of the Secretary-General, in paragraphs 88 to 121, provides the views of a wide range of organizations and of the South African Government concerning the sources of that violence and the measures that can be taken to bring peace to those areas. The Special Committee would like to emphasize that the source of the violence in South Africa is primarily the continued existence of apartheid policies, practices and structures as well as the actions of right-wing groups opposed to the democratic transformation of South Africa.

We have received numerous reports from, among others, the Congress of South African Trade Unions, the South African Council of Churches, the Independent Board of Enquiry into Informal Repression in South Africa and, most recently, the International Commission of Jurists concerning this growing violence in different parts of South Africa. The common theme among these reports is that these acts of violence are determined efforts to undermine the current political process. The International Commission of Jurists stated in its report that there were six areas in which the Government of South Africa must act. One of them concerned the discipline and impartiality of the police in the conduct of their duties in Natal.

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The Commission stated that the Government should lift the state of emergency in Natal because it was not needed, as the authorities had ample legal powers to control the situation. According to the International Commission of Jurists,

"The state of emergency encourages policemen to cut corners and break the rules because they enjoy wide immunities while the emergency lasts".

That observation is in line with paragraph 112 of the Secretary-General's report, in which the impartiality of the South African police and the KwaZulu police force is called into very serious question.

In that regard, I should like to quote from a statement sent by the Congress of South African Trade Unions to the Special Committee on 11 September 1990, in which the Congress stated clearly that

"Powerful right-wing forces of counter-revolution now dominate our daily lives. Innocent men, women and children are murdered and maimed daily and thousands of homes are destroyed. Why is this happening now? Why have we seen an escalation of violence after the Pretoria Minutes in which one of the most significant decisions was the suspension of the armed struggle by the African National Congress?

"What is clear is that there are determined efforts to destabilize the consolidation of the ANC and other democratic organizations and to derail the process of a peaceful transition to a non-racial democratic South Africa.

"The responsibility for this lies directly in the hands of the South African Government. There is overwhelming evidence, even as concluded by the Goldstone Commission, of police brutality. The South African police and the South African Defence Force are openly seen escorting armed vigilantes in their rampage through the townships.

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"Despite repeated warnings to the State since the middle of July that these attacks were being planned and orchestrated, the State has done absolutely nothing to bring the perpetrators to book. All this is masked under the label of black-on-black violence and conveniently shifts responsibility for this conflict away from apartheid. Yet there is incontrovertible evidence that the hand of apartheid forces is behind the violence.

"Profound and irreversible changes have not taken place. Pressure on the South African Government needs to be intensified to discipline its security forces and meet the conditions laid down in the United Nations resolution on apartheid adopted in December 1989 to guarantee free political activity. There is no possibility of free political activity when armed vigilantes and the police murder, maim and harass people who want to meet, organize, speak or protest peacefully."

Analyses of the recent violence, in particular by the Independent Board of Inquiry into Informal Repression in South Africa, conclude that the explanation for the current violence can only be found in the combination of political conflict and material conditions which overlays the issues of ethnic identity. Explaining the violence in the single-sex hostels around Soweto, the Independent Board of Inquiry emphasizes that the appalling conditions in the hostels and the squatter camps lend themselves to the potential outbreak of violence. In the words of the Board of Inquiry,

"The hostels have become the flash-point of bloody confrontations. Isolated and often prison-like, they are the breeding ground for an aggressive machismo culture unrestrained by the civilizing presence of families.

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Living in a hostel helps foster a group identity, firstly because hostels have historically been run along ethnic lines. Secondly, for the hostel residents there is a shared daily experience, all of which makes it extremely amenable to being organized. As a result, particular hostels often become strongholds of particular organizations. This helps to explain some of the organized nature of the current violence centred around the hostels. The violence we are witnessing is not a spontaneous outbreak of ethnic conflict."

Stating our concern about the current violence, as we have done, should not, however, distract us from acknowledging that important progress has indeed been made towards removing some of the obstacles to a process of negotiation. I am referring to the contacts that have been made between the African National Congress of South Africa (ANC) and the South African Government.

The Pretoria Minutes of Understanding of 6 August 1990 is important for two reasons. First, they approved the recommendations of the bipartisan group concerning the release of prisoners and the granting of indemnity. It is possible now to envisage that prisoners will be released and those in exile will be able to return to the country of their birth. Secondly, the ANC announced that it was suspending all armed action:

"in the interest of moving as speedily as possible towards a negotiated, peaceful, political settlement, and in the context of the agreements reached."

We take note also of the South African Government's decision to consider lifting the state of emergency in Natal as soon as possible and to repeal certain provisions of the Internal Security Act. We emphasize the urgency of lifting the state of emergency, which is now in effect in certain parts of the Transvaal province. Furthermore, we of the Special Committee remain convinced that the

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repeal of repressive legislation will be a serious step towards allowing free political activity.

In this context, we agree with the conclusions set forth in the report of the Monitoring Group of the Ad Hoc Committee on Southern Africa of the Organization of African Unity (OAU). The report concluded that all the fundamental pillars of apartheid and their repressive and destructive consequences remain intact. It concluded that nothing short of the fulfilment of all the conditions which are essential to the creation of the necessary climate for negotiation should be deemed sufficient in terms of the demands set out in the Declaration.

I should now like to turn my attention to the Programme of Action of the Declaration. While consensus has been generally maintained with few exceptions, there is a worrisome trend towards easing pressure on the South African Government. I view that trend not only as a dangerous mistake but also as a premature reaction to the current process in South Africa.

It is necessary to remember that the Declaration calls for the observance by all countries of the mandatory arms embargo and for the international community not to relax existing measures aimed at encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes.

It is widely recognized that such profound and irreversible changes have not yet taken place in South Africa. As is evident from recent events in that country, the process ahead is difficult and fragile. I believe that more than ever before it has become more crucial for members of the international community to maintain pressure on the South African Government, so as to encourage a process towards the goal of the dismantling of apartheid and the creation of a democratic and

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non-racial South Africa. This expectation will indeed be in line with the consistent support the South African people have always enjoyed from the United Nations.

The Special Committee wishes to call for the intensification of pressure against the racist régime in order to force swifter measures for the eradication of apartheid. This action from the international community would be most invaluable in the hour of need of South Africans in their struggle for democracy and peace. In the words of the Congress of South African Trade Unions (COSATU) our:

> "actions now will mean the difference between life and death for thousands of our people whose only crime has been to oppose apartheid."

In renewing our call for the intensification of sanctions we are guided by the position of the ANC, as well as those of other liberation movements inside South Africa. In particular, we are guided by Mr. Mandela's statement delivered from this rostrum in this great Hall on 21 June 1990 when he was the guest of the Special Committee against Apartheid. In that statement he passionately and unequivocally called on the United Nations to:

> "do everything in its power to maintain the unity it achieved when it adopted the Declaration on South Africa last December." (A/44/960, p. 105)

He stated, in addition, that:

> "nothing which has happened in South Africa calls for a revision of the positions that this Organization has taken in its struggle against apartheid. We therefore strongly urge that there should be no relaxation of existing measures. The sanctions that have been imposed by the United Nations and by individual Governments should remain in place." (ibid.)

The Special Committee commends this position to the members of the international community because what he said is as true now as it was then.

(Mr. Gambari, Chairman, Special Committee against Apartheid)

In closing, I want to remind the Assembly that the majority of the people of South Africa, in the words of Thomas Jefferson, do not expect to be translated from despotism to liberty in a featherbed. They are aware that the path they have chosen towards democracy and a new society in South Africa will encounter obstacles on the way. We must equally remind ourselves of their determination to walk that path with the assistance, to the extent that is possible and necessary, of the international community. It is in this context that I call upon the Assembly to maintain the historical consensus achieved in December 1989. Let us walk together with the people of South Africa towards the goal of a new South Africa, a country that, I hope, will soon be able to take its rightful place in the community of nations.

Mr. SHAMUYARIRA (Zimbabwe): I should like to begin by paying a tribute to my brother, Major-General Joseph Garba, Minister of State of Nigeria, for the most skilled manner in which he has piloted the affairs of the forty-fourth session of the General Assembly. Moreover, I should like to congratulate him on his presidency of the sixteenth special session of the General Assembly. I am sure that in his good hands, given his proven diplomatic skill, the sixteenth special session has been a success.

In addition, I should like to put on record our gratitude to the Secretary-General, Mr. Javier Pérez de Cuellar, for the way in which he has led our Organization through these times of momentous change, and commend him for the very extensive report he has prepared for us on the current political process in the Republic of South Africa. The report covers a wide range of topics and raises many important issues in the pursuit of the goal of peace in the region of southern Africa. He expanded on that report in his statement earlier this morning, and

(Mr. Shamuyarira, Zimbabwe)

the comments he made will indeed prove very useful for the discussion we are going to have.

This resumed session is being held specifically to determine whether the Pretoria Government is at last willing to heed the edicts of the international community and move to bring about a democratic order and stop the carnage in the country. The Declaration adopted at Harare in August last year by the Ad Hoc Committee on Southern Africa of the Organization of African Unity (OAU) set out a series of measures which should be undertaken to achieve a negotiated solution to the problem of apartheid. The document was endorsed by the Heads of State or Government of the non-aligned countries on 7 September 1989 and formed the basis of the Declaration adopted by the Assembly itself on 14 December 1989.

The Assembly went on to request the Secretary-General to transmit copies of the Declaration to the South African Government and to prepare a report on the progress made in its implementation. The Secretary-General did indeed - on 1 July this year - submit his report, and it is that report we are now discussing.

(Mr. Shamuyarira, Zimbabwe)

Let there be no mistake: In adopting the Declaration on Apartheid and its Destructive Consequences in Southern Africa, the General Assembly did not leave to individual speculation the criteria for judging progress in the creation of conditions for dialogue in South Africa. The Declaration lists five very specific actions that are necessary to create a climate for negotiations in South Africa, and demands that Pretoria must "respond positively" (resolution S-16/1, para. 5) and urgently in carrying them out. As we all know, these conditions that Pretoria is to meet are the following: first, release all political prisoners and detainees unconditionally; secondly, lift all bans and restrictions on all proscribed and restricted organizations and persons; thirdly, remove all troops from the townships; fourthly, end the state of emergency and repeal all legislation, such as the Internal Security Act, designed to circumscribe political activity; and, fifthly, cease all political trials and political executions.

The Chairman of the Committee, the representative of Nigeria, has given details about these measures and the work that went into formulating them as they appear in the resolution last December. I shall not go into these measures any further. Rather, I shall proceed immediately to the question of their implementation.

The criteria that I have listed are to be used for assessing progress towards the establishment of a climate for negotiations in South Africa, so far as the General Assembly is concerned. There can be no other criteria. It may very well be that the Secretary-General's team was impressed by the way it was received and allowed to operate in South Africa; but to the extent that the five criteria that I have already listed remain unfulfilled, for this Assembly there has been no "significant change" in the political climate in South Africa. I am glad to note that in his statement today the Secretary-General did emphasize this fact.

(Mr. Shamuyarira, Zimbabwe)

It is indeed interesting that the Secretary-General's report states that out of the five measures required of the South African Government by the Declaration, only one has been implemented fully: the requirement to lift all bans and restrictions on proscribed and restricted organizations and persons. How can we, in all honesty, speak of significant progress in such a situation?

We all recognize and welcome the bold steps that have been taken by the South African Government under the leadership of President De Klerk. But those steps have not yet been made concrete in political realities that are both fundamental and irreversible. In fact, the requirements of the Harare Declaration as regards the creation of a good climate for political negotiations have not yet been met. Speaking in an interview broadcast by the South African Television Services on Sunday, 12 August 1990 - just six days after the meeting with the Government - the Deputy President of the African National Congress (ANC), Mr. Nelson Mandela, was asked by Mr. Myburgh, Editor of The Sunday Times (Johannesburg), whether he could "say that the process of change in South Africa has now become irreversible". He replied:

> "No, not as yet. The process of change will become irreversible when, as I put it earlier, fundamental and irreversible changes take place in the political structure of the country. That moment is still far off. We have not even started negotiations. That will be the next phase."

That is the voice of the man and the organization that know the reality, and from whom we should take much-needed advice and counsel at this particular time and in this resumed session. The delegation of Nigeria has quoted other statements that Mr. Mandela has made about this specific point. I shall not bore the Assembly by repeating them.

(Mr. Shamuyarira, Zimbabwe)

The assessment of the Organization of African Unity (OAU), which held a special meeting of its Ad Hoc Committee on Southern Africa in Kampala, Uganda, only last Saturday, 8 September 1990, coincides with the views of Mr. Nelson Mandela that I have just quoted. The OAU stated categorically that

"There has not been any fundamental or irreversible change in South Africa. The so-called changes which have led some members of the international community to believe that pressure should be relaxed vis-à-vis the apartheid régime fall far short of justifying that belief."

It should be noted that the South African Government has promised that, as and when the real negotiations begin and end, it will consult its white electorate in a referendum. They could still reject the whole reform package, even if other racial groups will also be consulted in separate referendums - as we are told they will be.

The view of the OAU is that the time for relaxation or for removing any pressures has not yet come.

A new factor has arisen in recent weeks which casts a very dark shadow on the entire reform process. This is the spectre of continuing intense violence in the black townships. The mass media have erroneously presented this phenomenon to the world as a tribal conflict between the Zulus and the Xhosas. However, more accurate information coming from South Africa is revealing the deep involvement of certain officers of the Police Force and the all-white right-wing vigilante organizations such as the Nazi-type AWB. It is believed that an extensive underground network that is well armed and trained already exists in South Africa today. Its objective is to disrupt the pursuit of the goal of peace and the political process as a whole. Although the Government has instructed the Minister of Police to investigate the allegations of police involvement in the continuing violence, already over 200 policemen have been gaoled for breaking the regulations

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that prevent them from taking part in party politics. Therefore, this cannot be the time for the international community to lower its guard.

Addressing last Saturday's meeting of the OAU in Kampala, Mr. Mandela himself said that the violence in the townships had gone beyond a fight between tribal groups. He said that it is now underpinned by a much-wider organization that is intended to undermine and destabilize the State of South Africa and its people as a whole. Those are words which we should take seriously into account. The dimension of the violence has gone much beyond what is being presented in the newspapers.

I turn now to the question of political prisoners. Although some political prisoners have been released since the adoption of the Harare Declaration, over 3,000 persons in this category are still in gaol. Their release will take some time because they have to be dealt with by the Government on a case-by-case basis, we are told. In addition, there are the 30,000 to 40,000 South Africans in exile in various parts of the world who should return to their country to take part in the political process going on there. Their return will be a major administrative exercise, because they too must be examined on a case-by-case basis. That is what has been stated by the South African Government in recent briefings there. The delays are indeed interminable, and the chances of changing the situation are numerous. The release of prisoners and the return of exiles are a very high priority in the Declaration we are discussing and the process we are examining. Both the OAU report and the Secretary-General's report concur on the figure of 3,000 political prisoners in South Africa. Consequently, it is inconceivable that the international community could be satisfied with the release of only the 104 persons mentioned in the Secretary-General's report. Clearly a large number still have to be released. As already indicated by the Secretary-General in his statement this morning, at the Pretoria meeting on 6 August there was agreement

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that the releases would begin on 1 October and that it would take some time to complete them. But there is already indication that it is going to take much longer. Given the very dark spectre of continuing violence or increasing violence to which I have referred, one doubts that the process will be started or will proceed as envisaged in the Pretoria communiqué.

(Mr. Shamuyarira, Zimbabwe)

Equally, on the question of political detainees we find that the situation on the ground in South Africa leaves a lot to be desired. The report of the Secretary-General states that, as of 1 July this year, 49 people were still being detained in South Africa, 47 under the Internal Security Act and two under the State of Emergency still in force in Natal Province. A lot of material has surfaced in many reports coming out of South Africa of continued detentions and continued ill-treatment of prisoners.

I could go on and on about how the South African Government has not fulfilled the conditions set by the international community for creating a climate for peaceful negotiations, but there is really no need for that now. Both the report of the Secretary-General and the report of the Organization of African Unity (OAU) Monitoring Group, which have been referred to this morning, make the fact of South African non-compliance manifestly clear. Racist police remain in the townships of Natal and in the bantustans. The State of Emergency continues to exist in Natal, and 64 political prisoners still remain on death row.

Although in some cases the African National Congress of South Africa (ANC) has asked the police to take firm action to stop the violence, the evidence is quite clear that no such measures have been taken. As recently as yesterday Mr. Mandela was making a last-minute appeal to De Klerk based on the fact that the violence in the townships must be stopped. Otherwise, he thought that the whole peace process could be threatened. Certainly, in Kampala last Saturday he told us that he could not continue telling his people to refrain from violence and suspend the armed struggle if his people are continually under attack from vigilante groups that are emerging from many corners.

We are also profoundly disturbed that, in addition to this evident lack of progress in creating a good climate for negotiations, the South African Government

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has failed to embrace unequivocally the fundamental principles for a new constitutional order in the country that were identified by the United Nations itself. Speeches by the régime's leaders still emphasize old concepts such as minority rights, group rights and so forth. Those concepts are clearly at variance with the aims of the international community that South Africa shall become a united, democratic and non-racial State, that all its people shall enjoy common and equal citizenship and nationality, regardless of race, colour, sex or creed and that all people shall have the right to participate in the government and administration of the country on the basis of universal suffrage exercised through one man, one vote, under a common voters' roll.

There is consequently still a lot of ground to be covered in South Africa before substantial and irreversible progress can be claimed. Above all it is essential to underline that the international community required the five conditions for creating a climate for negotiations to be fulfilled by the South African Government alone and not by anybody else. They were not a matter for negotiation. It is therefore unacceptable that the South African Government should continue to try to shift blame to others for its own failure to comply with the Declaration. Consequently the international community must inform the Pretoria Government of its distress and impatience at continued non-fulfilment of those conditions and demand immediate moves to undertake those measures. In addition, the Pretoria Government must move immediately to embrace the principles for a democratic South Africa enunciated by the United Nations.

In pursuit of the objectives of the Declaration the international community set itself a Programme of Action that has been again referred to by my colleague, the representative of Nigeria. Among the agreed measures was the need to ensure that the international community does not relax existing measures aimed at

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encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration. The report of the Secretary-General makes clear that there have been neither profound nor irreversible changes in South Africa. Indeed, we have alluded to the fact that, of the five measures Pretoria was required to take to create a climate for negotiations, only one has been implemented fully so far. In such circumstances how can one justify a relaxation of pressure on the apartheid régime?

We want to commend those States that have remained steadfast in applying pressure on the apartheid régime in order to encourage peaceful changes in that country. At the same time we must register our dismay at the behaviour of the United Kingdom, which lifted sanctions against the régime unilaterally before it had complied with the demands of the international community. That action by the British Government is doubly regrettable because it not only eases pressure on the apartheid régime but also appears to create fissures in an international policy that had hitherto been solid with regard to South Africa. The international community as a whole decided what South Africa must do for sanctions to be eased. It is only reasonable that the international community as a whole decide when South Africa has complied and when sanctions can be terminated. After all, the Declaration on Apartheid and its Destructive Consequences in Southern Africa is a document that was adopted by consensus.

Finally, my delegation is not surprised that some powerful nations that were originally opposed to the imposition of any mandatory economic sanctions against South Africa are in the forefront of the current campaign to reward President De Klerk by removing those sanctions already imposed and relaxing existing international pressures on South Africa. We think we should all resist

(Mr. Shamuyarira, Zimbabwe)

that trend and that those Western European Powers supporting it should be persuaded to take the positive measures set out in the Programme of Action to which I have already referred. The Programme postulates various measures that should be taken to support and encourage those organizations fighting against apartheid as well as to support those States in the region that have been victims of the violence of the apartheid State and the apartheid system generally. A clear demonstration of unity and determination by the United Nations to dismantle the apartheid State and establish a non-racial democracy in South Africa would go a long way towards strengthening the position of those politicians inside South Africa, white or black, who are genuinely working for a new social and political order based on a new constitutional dispensation.

Earlier this year we had the great pleasure of witnessing the admission of the new State of Namibia into this body, the United Nations. The process leading to the independence of Namibia was delicate, difficult and expensive. What made the Organization pilot that process successfully was the unity and determination of its Members to achieve the objective they had set themselves in 1978 in Security Council resolution 435 (1978) and other succeeding resolutions. The economic sanctions that had been imposed on Namibia were not in fact removed until independence had been achieved and sovereignty conferred on its people. The two situations are not identical, I know, but they are similar in their aspect of transferring power from an entrenched racial minority to a hitherto-disenfranchised indigenous majority. Whatever pressures are brought to bear by outside powers to achieve that desired transfer of power should not be removed or relaxed until the actual transfer has taken place.

Both the African National Congress and the Pan Africanist Congress told the United Nations team of their preference for electing a constituent assembly that

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will draw up the new South African constitution. My delegation believes that that transitional process requires careful thought and planning by the United Nations. In the cases of Namibia and Zimbabwe there was an external force that administered the respective territory while a new constitution was being drafted and general elections were being conducted. In the context of South Africa it may also be necessary for the Government to accept the presence of the United Nations in order to ensure a smooth transition process. Both the process of building a consensus around a new constitution and the removal of violence and any forms of intimidation are delicate processes that require a strong and neutral political authority at the centre.

Mr. MWANANSHIKU (Zambia): It is appropriate that we should be meeting again to consider the issue of apartheid in South Africa and its destructive consequences in the rest of the region. We do so now in the context of the decisions we took last December when we unanimously adopted the Declaration on Apartheid and its Destructive Consequences in Southern Africa and mandated the Secretary-General of the United Nations to prepare a report on the progress to be made over the following six months towards the realization of the objectives of the Declaration.

May I at this juncture say how happy we are to see you, Mr. President, a distinguished son of Africa, presiding over this very important resumed session of the General Assembly. We have no doubt that the decisions and recommendations to emerge from this meeting will have far-reaching consequences on the future of South Africa and southern Africa as a whole.

Allow me also to take this opportunity to express my thanks and appreciation to the Secretary-General of the United Nations for preparing and submitting to us the report on the developments in South Africa since the beginning of this year in document A/44/960.

I pay a special tribute to the Special Committee against Apartheid, under the dynamic leadership of Ambassador Ibrahim Gambari, for its relentless and continuing efforts in the struggle for the elimination of apartheid. I want to assure them that they can count on my delegation's continuing support in this noble task.

Since last December the situation in southern Africa has, for the first time in many decades, begun to evolve in a positive direction that gives hope and expectation to the long-suffering people of the region. I am referring, in the first instance, to the successful completion of the United Nations process leading to the independence of Namibia on 21 March 1990. As President until yesterday of

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the United Nations Council for Namibia and as Chairman of the group of front-line States, Zambia has warmly welcomed Namibia's independence, emphasizing as it does the fact that interracial harmony and peace are only possible in a truly democratic environment. It is an example that South Africa should emulate.

In the second place I am referring to the momentum that has emerged in South Africa towards the holding of negotiations leading to the abolition of apartheid and the transformation of South Africa into a united, democratic and non-racial State. That new momentum towards change has not come about on its own. It has been brought about by the pressures, both internal and external and including sanctions, that have been brought to bear on South Africa.

But in bringing about the so-called talks about talks, the roles of both President De Klerk and Deputy President of the African National Congress of South Africa (ANC) Nelson Mandela have been very crucial. Without their persistence and patience in dealing with complex situations it would have been difficult to move ahead. Indeed, they both remain crucial to the peaceful completion of the process.

The changes that we have witnessed so far in South Africa, including the unbanning of the ANC, the Pan Africanist Congress of Azania (PAC) and other anti-apartheid organizations, the lifting of the state of emergency and the release of some political prisoners do not, as yet, represent the total fulfilment of the conditions we set for creating a climate favourable for negotiations. As the Secretary-General's report indicates - and indeed, as the Kampala decisions of last weekend emphasize - more must be done before South Africa can finally be on the way to negotiations.

I am referring for example to the resolution of all the problems relating to the release of all political prisoners and detainees, to indemnity against prosecution for all those South Africans who were forced by apartheid to flee the

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country and take up arms against the régime and to the repeal of all those laws and regulations that were designed to restrict political activity in the country. In addition there is the question of dealing with the principal laws that created and that have perpetuated apartheid over all these years, including in particular the Group Areas Act, the Population Registration Act and the Land Acts.

Moreover, South Africa must deal with the problem of violence in the townships. For some time that violence had been confined to Natal. It has recently spread to other parts of the country, causing considerable loss of life and destruction of property. The reported involvement of the security forces on the side of Inkatha is a clear indication that some sections of the white population do not yet want to see the peaceful end of apartheid.

Finally, negotiations on a new constitution for South Africa have yet to start. Even if they do, it is difficult to tell in advance what their outcome will be, given the Government's unwillingness to concede straightforward democracy and given the extreme positions of some of the parties. It is only when all those problems have been satisfactorily addressed that it will be safe to say that fundamental and irreversible change has occurred in South Africa.

This means that until that point has been reached all the existing pressures on South Africa, including the sanctions, will have to continue. In this regard Zambia wishes to register its profound regret at the incidence of some Members of the United Nations deviating from their commitments to the Programme of Action reflected in the Declaration. We therefore urge them to adhere scrupulously to the provisions of the Declaration in the interest of accelerating the pace of peaceful change in South Africa.

In the rest of the region, and especially in Angola and Mozambique, the problems that South Africa helped to spawn and that it has sustained over all these

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years sadly continue, despite the great efforts being made by the Governments of those countries to resolve them. The early demise of apartheid would greatly contribute to the resolution of those problems, provided all other foreign intervention comes to an end at the same time.

(Mr. Mwananshiku, Zambia)

I wish to conclude by saying that southern Africa now has a unique opportunity to resolve its problems and create peace in an atmosphere free of confrontation and violence. We need the continuing engagement of the international community until apartheid has been eliminated and South Africa is, for the first time, a united, democratic and non-racial State.

In that regard, we wish to appeal to the international community to render every support and increased assistance to the national liberation movements to enable them to re-establish themselves inside the country and assist the re-integration in society of released political prisoners and returnees. We also need the continuing support of the international community for the initiatives of the Governments of Angola and Mozambique so that peace may finally come to those two countries.

Finally, the front-line and other neighbouring independent African States need every assistance so that they may be able to rebuild their economies, which have, for a long time, been affected by South Africa's acts of destabilization and aggression.

Mr. DJOUDI (Algeria) (interpretation from French): It is in the natural order of things that precisely in the current special circumstances the presidency of the General Assembly should be held by a distinguished son of Africa as it discusses apartheid and its destructive consequences in southern Africa. This greatly pleases the Algerian delegation, which sees it as another well-deserved tribute to your dedication, Sir, to the struggle against apartheid and to the exemplary commitment of your country, Nigeria, to just causes in Africa and the world in general.

I would also like to take this opportunity to express to the Secretary-General, Mr Javier Perez de Cuellar, the profound gratitude of my delegation for his tireless work in the accomplishment of his responsibilities and for the report he has submitted to us.

(Mr. Djoudi, Algeria)

For over four decades, southern Africa has been one of those regions of the world suffering most from injustice, repression and total denial of fundamental human rights. Nothing could in fact be more significant than the debates that this question has prompted and the unprecedented number of decisions and resolutions in which over the years with rare consistency, the international community has forcefully condemned, and expressed its determination to put an end to, the odious system of apartheid.

The changes that have occurred in international relations and the winds of freedom and democracy that have been blowing over the world could therefore not accommodate the survival of a régime based on a so-called hierarchy of races which constitutes a system of institutionalized racial domination. Thus, inspired by legitimate concern, given the persistence of the practices of apartheid at a time when Africa saw its complete liberation at hand, the Organization of African Unity (OAU) determined to define a framework and the means for a political settlement of the problem of South Africa.

The approach thus defined by the OAU was to win in a spirit of solidarity the full support of the non-aligned movement and then that of the General Assembly, which from 12 to 14 December 1989 held its first special session devoted to apartheid in South Africa. The adoption by consensus of the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa constituted a striking expression of the unanimous rejection of apartheid by the international community and resulted in the establishment of ways and means to eradicate that anachronsitic system by implementing universal principles and stipulating the prerequisites for the achievement of a united, non-racial and democratic South Africa. The General Assembly also decided to remain seized of the question and to monitor carefully the evolution of the situation in South Africa.

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The Assembly is therefore now meeting in that context at a crucial and appropriate time - crucial because new developments have occurred in the framework of a relatively promising process of dialogue, and, certainly, timely, because it is possible for us to conduct a lucid assessment of the progress achieved in implementing the Assembly's Declaration and considering ways and means of responding to it most adequately.

It can easily be seen that since the adoption of the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa, the situation in South Africa has evolved in ways that arouse hope that at last we may see the establishment of a society of equality and justice. The mobilization of the international community in its struggle against apartheid has thus yielded its first fruit and confirmed the correctness of the method advocated for the eradication of that odious system. So it was that the international community welcomed with joy the release of the great South African patriot Nelson Mandela and his fellow freedom fighters whose courage, self-sacrificing spirit and unshakable convictions triumphed at last over the hardships of imprisonment and repression.

The heroic resistence of the South African people was also recompensed by the legalization of the African National Congress of South Africa (ANC) and other anti-apartheid organizations. The partial lifting of the state of emergency and the beginning of a process of dialogue between the South African authorities and the representatives of the ANC are also encouraging and promising signs.

The international community must, however, not overestimate these first steps taken by the South African régime. The euphoria aroused in certain circles by the recent developments in South Africa must in fact yield to pragmatism, a spirit of reality based on facts. It is our duty at this crucial juncture carefully to

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evaluate the effects of those measures and to view them in the strict framework of the requirements set by the international community for the establishment of situation of normalcy. Indeed, as important as they may be, the measures are far from meeting the conditions set by the General Assembly in its Declaration of 14 December 1989. The moves toward change by the Pretoria authorities cannot conceal the reality in South Africa, where the overwhelming majority of the population remains subject to repressive and discriminatory laws and continues to live in fear and intimidation, still marginalized in its own country.

Thus the release of Nelson Mandela and his fellow freedom-fighters, as important as it may be, will only become truly significant when they recover their political and civil rights. Likewise, the legalization of political parties will only be truly meaningful when it is followed by the lifting of the prohibitions that still obstruct their activities.

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The partial lifting of the state of emergency has not thus far brought an end to repression, given the extreme repressive powers held by the régime under its ordinary laws.

The report recently published by the Human Rights Commission of South Africa provides striking evidence of the persistence of State violence in South Africa.

Lastly, the mounting violence in the province of Natal is a source of deep concern. There is no doubt on anyone's part that the police forces of the South African régime bear a large share of the responsibility. Such behaviour belies the statements made by the present leaders of South Africa concerning the establishment of a climate conducive to the peaceful development of the process just begun. In other words, in our view the few concrete measures taken by the South African régime, however significant they may be, are far from constituting an adequate response to the legitimate aspirations of the people of South Africa, and remain fragmentary vis-à-vis the real problems and the concrete measures required for a solution.

It is by their acceptance of the conditions and the principles adopted by the General Assembly that the real decisions and intentions of the South African authorities must be evaluated and judged. This means that they must resolutely follow the sole course charted by the international community. That requires first of all the dismantling of the institutions and structures of apartheid and the abrogation of the texts which constitute the legal pillars of this system and which are its symbols - texts such as the Internal Security Act, the Public Security Act, the Population Registration Act, the Group Areas Act and the Bantu Education Act.

The international community has also demanded the lifting of the prohibitions and restrictions on all political organizations, as well as the release of all

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political prisoners and detainees, and an end to all political trials and executions. It demands, finally, the total lifting of the state of emergency and the withdrawal of all troops from the townships.

The Pretoria authorities must realize that they cannot implement the declaration of principles of the United Nations at their convenience; nor can they expect the international community to allow the integrity of its initiatives to be in any way violated.

South Africa stands today at a crossroads. The report submitted to us by the Secretary-General clearly reflects the situation in South Africa and indicates what remains to be done for the achievement of a democratic society in that country. By affirming, rightly, that the process under way in that country has only just begun and that further bold and creative measures will be necessary to complete it, the Secretary-General has correctly defined the scope and the impact of the measures adopted thus far by the South African régime and has expressed the international consensus. These measures, although encouraging, respond only partially to the conditions set by the General Assembly in its Declaration of 14 December 1989 and must be followed by more concrete and bolder measures. The international community, which has solemnly committed itself to the total eradication of apartheid, cannot therefore be satisfied with these measures, nor can it feel convinced that profound and irreversible changes are really under way in South Africa. Such a development in any event, at this critical stage of the evolution of the situation in South Africa, could not warrant a weakening of international sanctions. Thus, the international community, which has mapped the route which must be taken for the establishment of an era of peace and justice in South Africa, must mobilize its action and maintain its pressure until the legitimate rights of the South African people are fully restored and the conditions exist for the

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achievement of a democratic and non-racial society based on the free exercise by all of universal suffrage, in a united and unfragmented South Africa. That is the hope of all of us; that is our shared objective.

Mr. TRAXLER (Italy): Allow me at the outset, Mr. President, to express my delegation's satisfaction that this resumed forty-fourth session also is taking place under your stewardship. Indeed, your presidency augurs well for the success of our work. Nothing could be more fitting than to see a most distinguished son of Africa presiding over this part of the forty-fourth session, dedicated to the problem of apartheid.

It is my honour to speak today on behalf of the twelve States members of the European Community.

The General Assembly is well aware of the position of the Twelve on apartheid. We strongly condemn it and we are fully committed to its eradication, by peaceful means and without delay. This abhorrent system of racial segregation and discrimination, institutionalized 42 years ago, runs counter to the most fundamental values in which our countries and our peoples believe. We do not need to recall here our policy with regard to apartheid since in the course of the forthcoming forty-fifth session we shall have the opportunity to set it forth in fuller detail. Rather, I should like to concentrate during the present debate on our assessment of the rapid and important developments that are taking place in South Africa.

The Assembly has been convened at a time when hopes are running high that the dismantling of apartheid and its replacement by a democratic, united, non-racial society may at last be in prospect.

The Twelve participated actively in bringing about the international consensus on the Declaration on apartheid and its destructive consequences, adopted last

(Mr. Traxler, Italy)

December by the sixteenth special session of the General Assembly, under your presidency, Sir. The Declaration sent a strong signal from the entire international community of the need to abolish apartheid. There have been significant developments since then in South Africa. The report of the Secretary-General of 1 July 1990 on the implementation of the Declaration offers, in this respect, ample evidence of progress. We wish to take this opportunity to thank the Secretary-General for his work. This report's commendable achievement of providing a comprehensive, accurate and balanced picture of the political process under way in South Africa at a time of rapid movement deserves, we feel, the Assembly's praise.

Since last December some very important steps forward have been taken. I refer in particular to the commitment by the Government to abolish the apartheid system; to the release of political prisoners and especially of Nelson Mandela, a courageous leader who remained throughout his long captivity a source of inspiration to millions of South Africans - and not only South Africans - opposing apartheid; to the unbanning of political parties and movements; to the substantial lifting of the state of emergency. Most importantly, a process of dialogue was effectively set in motion with the talks held in Cape Town in May between the Government and the African National Congress, and with their common commitment to a peaceful process of negotiations. The Twelve, in expressing their strong support for this political process, pay a tribute to the role played by President De Klerk and by Mr. Nelson Mandela and to the foresight and courage displayed in their efforts to bring about a new era in South Africa.

(Mr. Traxler, Italy)

The report of the Secretary-General states that the country has reached the threshold of such a new era and that

"the political process on which it has embarked holds encouraging prospects of leading to the dismantlement of apartheid". (A/44/960, para. 16)

The Twelve share this assessment. A mission of the European "Troika" that visited South Africa from 11 to 14 April and had extensive contacts with all the political parties in the country had already noted then a significant improvement in the political climate. Subsequent developments have confirmed this positive trend.

We are well aware that a long and difficult road still lies ahead. While some of the discriminatory legislation - like the Separate Amenities Act - has already been scrapped, the bulk of the so-called pillars of apartheid - the Group Areas Act, the Land Act, the Population Registration Act - have not yet been removed. At the same time, as the report of the Secretary-General points out, the process of change is encountering difficulties and challenges at various levels: the acute social and economic problems affecting the black population, the politically related violence and, in more general terms, the fact that fundamental change in any society often creates uncertainty, anxiety and fear. These adverse factors are to be reckoned with. But, as the Secretary-General stresses in his report,

"the challenge of nation-building ... has already begun to stir the people of South Africa in ways that hold the promise of profound and beneficial change". (Ibid., annex I, para. 256)

The Twelve have noted with keen satisfaction that further progress has been achieved since the report of the Secretary-General was written. We welcome the outcome of the important meeting between the South African Government and the African National Congress (ANC) on 6 August. In particular, we attach special importance to the suspension of the armed struggle, proclaimed by the ANC; that

(Mr. Traxler, Italy)

was, in our opinion, a necessary prelude to the start of negotiations on a new Constitution, as well as to the decisions on the release of political prisoners and to the amnesty of the exiles. As a result, the parties have stated that the way is now open to proceed towards negotiations on a new Constitution. We believe that this is a fundamental step forward in the process. The Twelve and the international community as a whole have long worked to create the opportunity for all South Africans to be able to determine the future of their country. Now that key problems for the negotiations to establish a new, democratic, non-racial Constitution have been solved, this major objective appears to be in sight.

In the light of those developments, it is all the more disturbing to see that violence in the country has tragically increased to unprecedented levels. We have stressed many times in the past that a society divided along racial lines is bound to breed hatred and violence. But, necessary as it may be to recognize that the roots of the present problems lie in part in the very system of apartheid, this does not exonerate anyone from the responsibility to work actively to break the cycle of violence. This is indeed an urgent and fundamental task for the Government and for all the political forces committed to peaceful change in South Africa. We note that in the joint statement of 6 August the Government and the African National Congress have indeed expressed their serious concern in this respect and have committed themselves to undertaking steps and measures to promote and expedite the normalization and stabilization of the situation. The Twelve expect the South African authorities to do their utmost to stop the violence in an impartial manner, and urge the parties concerned to set about solving their differences by means of dialogue.

(Mr. Traxler, Italy)

Reconciliation in South Africa cannot be achieved overnight. But it must be achieved and it has to come through a joint endeavour, which alone can bring about lasting results. The momentum that has been created in these months must not be lost. Now that the bases have finally been laid for the start of negotiations on a new Constitution, such negotiations should get under way without delay. The Twelve call on all parties in South Africa to join in the process and make a full contribution to the establishment of a new society in their country.

The Twelve remain committed to exert all their influence to contribute to the emergence, at a time when the call of freedom is heard throughout so many parts of the world, of a united, non-racial and democratic South Africa, in which all people enjoy common and equal citizenship and respect for universally recognized human rights is guaranteed.

Mr. PEJIC (Yugoslavia): This statement is being made on behalf of the Movement of Non-Aligned Countries.

As the forty-fourth session of the General Assembly, which you, Mr. President, have guided with exceptional dynamism and skill, is being brought to an end, we are addressing the problem of apartheid once again, a problem that has been one of the most important issues on the United Nations political agenda during this session as well. The major result achieved in this field in this period, which no doubt can be ranked among the most significant achievements of the world Organization for quite some time, was the adoption at the December special session of the General Assembly of the consensus Declaration on Apartheid and Its Destructive Consequences in Southern Africa, the implementation of which is now under consideration. We are grateful to the Secretary-General for the exhaustive information supplied in the report on current developments in South Africa; it provides a very good basis for our debate.

(Mr. Pejic, Yugoslavia)

The Declaration on apartheid adopted at the special session of the General Assembly is of particular importance for the Movement of Non-Aligned Countries, whose current Chairman is Yugoslavia. The document is based on the Harare Declaration of the Organization of African Unity (OAU), confirmed at the Ninth Summit Conference of non-aligned countries, in Belgrade. It reflects the firm and unanimous determination of the international community to put an end to the obnoxious system of apartheid. The Declaration contains an elaborate set of steps that are to be taken in order to resolve the long-lasting crisis in South Africa and transform South African society into a democratic community, free of racial discrimination and oppression. Its urgent and comprehensive implementation is therefore one of those priority tasks for the realization of which our Non-Aligned Movement will strive ceaselessly and untiringly.

(Mr. Pejic, Yugoslavia)

In the last several months - indeed, ever since the special session of the General Assembly on apartheid - events in South Africa have evolved at an extremely dynamic pace. The African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC) and other anti-apartheid organizations have been legalized. Nelson Mandela, the living legend of the struggle of the majority population of South Africa for freedom, and some other freedom-fighters have been released from prison and Mr. Mandela honoured us with his visit here in the world Organization last June. In May and August, an ANC delegation headed by him met President de Klerk. Those developments, being followed by the watchful eye of world public opinion, are telling proof that important processes are taking place in South Africa.

Concurrently, however, and to our great regret, bad news is coming our way from South Africa as well. Terror is rearing its ugly head all over again. Hundreds of innocent people have lost their lives and many have been wounded in the violence erupting all over the country. The causes of that situation are self-evident. Apartheid, built into each and every particle of South Africa's body politic over many decades, refuses to recede peacefully. Those tragic events are yet another proof, if any is needed at all, that peace can arrive in South Africa only after apartheid is done away with fully and without delay, and that accumulated problems that rip the entire fabric of South African society can be solved only after full equality and equal democratic rights are ensured for all its people, irrespective of the colour of their skin.

Anti-apartheid organizations, and liberation movements above all, have demonstrated time and again their readiness to make a maximum contribution to the creation of a climate that would lead to the initiation of the process of the elimination of apartheid. The key to the solution, however, is in the hands of the minority Government in South Africa, which is also responsible for defusing the

(Mr. Pejic, Yugoslavia)

ongoing tension that threatens to explode. Pretoria is called upon to take determined and unambiguous steps that will irreversibly put the process of transformation in South Africa on the track of democratization and the elimination of apartheid.

The guidelines for that process have been set out in the document of the special session of the General Assembly on apartheid. The broad consensus with which the Declaration was adopted makes it incumbent on the international community to persevere in its determination to have it implemented. If our experience is anything to go by, the commitment of the international community and sustained pressure on the minority Government of South Africa, alongside the rightful struggle of the oppressed majority population of South Africa and its liberation movements, give us every cause to believe that the final elimination of apartheid, which the current process is designed to help achieve, is not far off. The United Nations should therefore continue in its resolute efforts along the lines that have already borne fruit.

South Africa is at an historic crossroads. A concourse of internal and favourable international circumstances can finally enable it to thrust the door wide open to the solution of a crisis that has plagued not only that country but the entire region for many decades. The United Nations, which in recent years has reasserted itself as a unique forum for the solution of the most complex international problems, bears a special responsibility to see to it that this opportunity is fully used. Perhaps we need not look for a better example of what our Organization can do than the one next door: its role in Namibia's accession to independence has also helped bring about the extinction of one of the most dangerous crises in that part of the world.

(Mr. Pejic, Yugoslavia)

There is no doubt that, by adopting the Declaration of the special session on apartheid, the United Nations has fulfilled one of its obligations in that field. However, it is only by committing itself to its implementation that the world Organization will carry out its responsibility in full. Only after the people of South Africa has finally achieved its inalienable right to live in freedom and democracy, free of racial segregation and oppression, and in a united country, shall we all be able to say that an important job has been done to the benefit of all. Non-aligned countries, Yugoslavia included, will invest their best effort to see that goal achieved.

Mrs. DIALLO (Senegal) (interpretation from French): In our opinion, this debate, in which my delegation is particularly pleased to take part, is important for three reasons.

First it is important because in the light of developments in South Africa since the sixteenth special session of the General Assembly, it will enable us to measure the extent of the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, to focus on the difficulties and obstacles that have been encountered, and to consider all steps and actions necessary to dismantle without delay that odious system and to install in its place a democratic, non-racial and egalitarian society.

It is also important because we are meeting at a time when the accession of Namibia to independence, the release of Nelson Mandela, and the fact that all the parties - in particular the African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC), and all anti-apartheid forces - are clearly in favour of a constructive dialogue. We accordingly believe that the prerequisites for the attainment of our objectives have been met more fully than ever before.

(Mrs. Diallo, Senegal)

Lastly, it is important because, coinciding as it does with the end of your term, Sir, as President of the forty-fourth regular session of the General Assembly, our debate gives us a new opportunity to reiterate our esteem for your remarkable performance, carried out with competence, efficiency and self-sacrifice.

My delegation therefore wishes to pay you a well-deserved tribute, because you have honoured the whole of Africa, as well as your great country, to which mine, Senegal, is linked by longstanding relations of exemplary friendship, fraternity and co-operation.

I should also like to address a tribute to the Secretary-General of our Organization, Mr. Javier Perez de Cuellar, who, with a talent that has been unanimously acknowledged and praised, has contributed to giving a new image to the United Nations and making it credible and respected. The thorough and timely report he has just submitted points clearly to his numerous and considerable merits, his far-sightedness and his dedication to the noble ideals of peace and justice for the sake of mankind.

To return to the subject under consideration, I should like to say my delegation fully endorses the report submitted by the monitoring group of the Ad Hoc Committee of the Organization of African Unity (OAU) for southern Africa on the state of the implementation of the Harare Declaration and the Declaration on Apartheid and its Destructive Consequences in Southern Africa. In that respect I wish to emphasize that, thanks to our joint efforts and those of the anti-apartheid movements, particularly the ANC and PAC, whose courage and determination are most admirable, substantial reforms have been undertaken in South Africa.

(Mrs. Diallo, Senegal)

However, those changes, despite their promising nature, need to be further strengthened and enhanced because they cannot be considered as fulfilling the fundamental principles of true democracy in South Africa, as clearly defined by the Harare Declaration and the Declaration adopted here at the sixteenth special session of the General Assembly.

The establishment of that genuine democracy, we wish to emphasize, necessarily involves the full dismantling of the apartheid system and the setting up of a democratically elected Government based on universal suffrage and the free participation on an equal footing of all South Africans.

The release of Nelson Mandela and other political prisoners, the partial lifting of the state of emergency, the recognition of certain political parties, including the African National Congress of South Africa (ANC), and the promises to abolish the apartheid system, together with the negotiations now under way on the future of the country, are all promising signs, the importance of which should not be overlooked.

But substantial obstacles still remain to be overcome, among them the persistent refusal of the Pretoria Government to repeal the laws governing apartheid, the complicity of the South African police forces aimed at spreading discord and violence among the black populations in the townships, and the continuance of the state of emergency in Natal province.

The formal denial of "power sharing" and "group rights" by the South African authorities provides the white minority with a veto power that impedes the successful attainment of the legitimate aspirations of the South African people.

Without any doubt, these grave facts are eloquent proof of the lack of conviction on the part of the Pretoria leaders of the need to give absolute priority to the immediate eradication of the heinous and shameful apartheid system.

(Mrs. Diallo, Senegal)

To become convinced of this one has but to refer to the Secretary-General's report to find that the black population in South Africa continues to endure serious economic and social injustices, spawned by apartheid. Blatant imbalances, particularly in the spheres of land distribution, housing, education, employment and health, certainly do not give rise among the black population to a feeling of trust with regard to what is being presented as a democratic process through the national institutions.

In the opinion of my delegation, the Pretoria régime should not be congratulated for the time being, but rather encouraged to translate its promises and declarations into concrete meaningful acts. In order to induce it to do so, it is essential that increased pressure be brought to bear on that Government so as to bring it to introduce profound and irreversible changes in South Africa.

These changes will be perceptible only after the repeal of the fundamental legal instruments of apartheid, in particular: the Population Registration Act of 1950 - the basis of the racial classification system; the Land Act, which reserves only 13.6 per cent of the territory for blacks, who make up 75 per cent of the total population; the laws on bantustans and bantu education; and the law setting up the tricameral parliament, by virtue of which 27 million blacks in South Africa are denied the right to vote.

It is thus too early to talk about the dismantling of apartheid at a time when, as we are sitting here, several hundred political prisoners and detainees are still serving time in South African prisons, when South African armed forces still occupy the townships and when the laws which restrict political activities, such as the Internal Security Act, are still in force, and freedom fighters in exile are still waiting for authorization to return home.

(Mrs. Diallo, Senegal)

The suspension of political trials and executions loses much of its positive character because the South African Government can at any time put an end to the moratorium it announced and resume those executions. Even though the state of emergency may have been lifted, the outrageous laws which allow the South African Government to resort to such measures again are still in force, at a time when the South African police force continues its repression against the black population while stirring up violence among the members of the black community.

In other words, notwithstanding the commitment entered into by the South African Government after its recent talks with the ANC to release all political prisoners, to allow the return of exiles and to reconsider the internal security law; despite the courageous decision of the ANC, through its illustrious Deputy President, Nelson Mandela, to renounce the armed struggle in order to foster stability and relaxation of tensions in the country, none the less, we have to note, unfortunately, that Pretoria has not yet lived up to its responsibility to create an atmosphere conducive to negotiations, in accordance with the Declarations of Harare and the General Assembly, and it is the implementation of those Declarations alone that will make possible the establishment in South Africa of a society based on justice, democracy and equality.

That is why my delegation urgently appeals to the international community to maintain, and indeed to intensify, the sanctions and other forms of international pressure against the Pretoria régime in order to compel it to uphold the principles contained in those Declarations.

Since the main focus in the dismantling of apartheid in South Africa rests on internal pressures and international sanctions, these should not be relaxed until the South African Government has completed making radical and irreversible changes which will bring about the elimination of apartheid. We have not yet reached that

(Mrs. Diallo, Senegal)

stage, because the inhumane system of apartheid still continues inasmuch as the majority of the black population continues to be deprived, through the imposition of racial segregation, of the exercise of its most basic rights.

We must not let ourselves be lured by the siren songs which are designed to cause us to let down our guard and to show indulgence towards the actions now being taken in South Africa. On the contrary, we must persist in our efforts and preserve the historic consensus which we have achieved through the unanimous adoption of the Declaration on Apartheid and its Destructive Consequences in Southern Africa.

We must increase our pressure and smash the sinister yoke of apartheid in order to restore to the millions of men, women and children in South Africa who are outcasts in their own land their full rights and dignity.

On our ability increasingly to mobilize for the triumph of a just cause will depend the strengthening of the renewed credibility of our fight against apartheid, this crime against humanity, in order to bring about a world of peace and justice, the most precious legacy we can leave our children, whose fate will be at the centre of our concern when the Heads of State meet here in a few weeks for the World Summit.

The PRESIDENT: In accordance with the decision taken by the General Assembly at its 3rd plenary meeting, held on 22 September 1989, I now have the pleasure to call on the representative of the Pan Africanist Congress of Azania.

Mr. EBRAHIM (Pan Africanist Congress of Azania (PAC)): Mr. President, first and foremost allow me to express our profound happiness at seeing you preside over this resumed forty-fourth session of the General Assembly. We are indeed confident that under your wise and dedicated leadership the session will carry out the important task before it, namely, to hasten the demise of apartheid.

(Mr. Ebrahim, PAC)

Also at the outset allow me, on behalf of the Pan Africanist Congress of Azania (PAC), custodian of the genuine and legitimate aspirations of the oppressed and dispossessed majority, to thank the Assembly for according us this opportunity to address this very important meeting of the General Assembly and to review the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa adopted at the sixteenth special session of the General Assembly. The Pan Africanist Congress of Azania contributed towards the formulation of that Declaration and its adoption by consensus. The PAC continues to regard the fundamental principles and guidelines contained in the Declaration as essential to the eradication of the obnoxious and inhuman apartheid system and the establishment of a genuine non-racial, democratic and united Azania.

The Declaration requested the Secretary-General to monitor the situation and prepare a progress report on the implementation of the provisions of the Declaration. The progress report is now before the Assembly. The Pan Africanist Congress of Azania met the team the Secretary-General sent to apartheid South Africa to assess the facts of the situation. The Pan Africanist Congress of Azania also contributed to the compilation of the report of the monitoring group of the Organization of African Unity's Ad Hoc Committee on Southern Africa. We hereby express our satisfaction with the contents and basic observations of the two detailed reports.

At these important meetings the General Assembly therefore has the task of factually and objectively assessing whether or not the fundamental principles and guidelines laid down in the United Nations consensus Declaration have been implemented.

The Declaration, first and foremost, regards it as essential that a necessary climate be created to realize a negotiated settlement in apartheid South Africa. Consequently it lays down pre-conditions which the apartheid régime should at the very least meet to create the necessary conducive climate.

(Mr. Ebrahim, PAC)

The stated preconditions are that South Africa should: first, release all political prisoners and detainees unconditionally and refrain from imposing any restrictions on them; secondly, lift all bans and restrictions on all proscribed and restricted organizations and persons; thirdly, remove all troops from the townships; fourthly, end the state of emergency and repeal all legislation designed to circumscribe political activity; and fifthly, cease all political trials and political executions.

Those preconditions were laid down to create a conducive climate that could pave the way to a negotiated settlement in apartheid South Africa. Moreover, it is clearly stipulated that the onus is on the régime to meet the necessary preconditions in order to create that conducive climate. The Pan Africanist Congress of Azania wishes to share with the General Assembly an important observation, namely that the stated preconditions in no way deal with the pillars of apartheid. On the contrary, they merely reflect the reaction of the régime to the legitimate resistance of the people. In other words, the stated preconditions merely demand that the régime withdraw its reaction.

The report of the Secretary-General unambiguously points out that these limited but necessary preconditions have not been substantially met by the apartheid régime. The only precondition the régime has met is the demand to lift bans and restrictions on all proscribed and restricted organizations. Political prisoners and detainees continue to languish in apartheid prisons; the state of emergency has been only partially lifted; racist troops remain in African townships and are now conniving in escalating the violence; and the régime is now arresting more of its opponents. Hence, it is accurate to state that the apartheid régime during the past nine months has failed to implement fully the necessary preconditions and has therefore failed to create the necessary climate conducive to bring about a negotiated settlement in apartheid South Africa.

(Mr. Ebrahim, PAC)

Rather than implement the necessary preconditions unconditionally, the minority apartheid régime has been desperately attempting to turn the preconditions into negotiation issues. For instance, the régime is demanding that national liberation movements agree to categorize political prisoners and detainees. That racist demand is aimed at sowing division within the national liberation movement and is in total violation of the call in the Declaration, which insists on and calls for the unconditional release of all political prisoners and detainees. The Pan Africanist Congress of Azania, in compliance with the call in the consensus Declaration, has condemned and rejected all attempts by the apartheid régime to turn the clearly stipulated preconditions into negotiation issues. Moreover, the PAC appeals to the Assembly to continue to insist that the régime meet the preconditions unconditionally.

It is said in some quarters that the apartheid régime is displaying some signs of its intention to resolve the problem through negotiations. There have been the typical pious statements of intention by the régime, but no concrete tangible actions to back them up. For instance, the racist régime is continuing with the case of the Upington 14, who were charged under the controversial and dubious Law of Common Purpose. The defendants in that case are aged and face a death sentence just for being present at a politically motivated incident. The treatment of the Upington 14 and the Sharpeville Six testifies that the racist régime is incapable of matching its oft-quoted statements of intention with concrete and obvious action. The Upington 14 and the Sharpeville Six are political prisoners and must be immediately and unconditionally released, along with those on death row and those who remain incarcerated in apartheid South African prisons.

(Mr. Ebrahim, PAC)

The Harare Declaration of the Organization of African Unity and the United Nations consensus Declaration laid down important guidelines. They are that the racist régime must meet the stipulated preconditions unconditionally, that this should be followed by an agreed mutual cessation of hostilities between the apartheid régime and the national liberation movements engaged in the armed struggle, and that what has to be negotiated in apartheid South Africa is the post-apartheid non-racial democratic constitution.

(Mr. Ebrahim, PAC)

The PAC not only supported that guideline but continues to respect it and insists on adherence to it. The Pan Africanist Congress rejects the racist demand that we suspend or abandon the legitimate armed struggle unilaterally. Unilateral suspension or renunciation would only result in division within the organization and prolong apartheid. When the De Klerk régime is not prepared even to curb free access to weapons by the white right-wing minority, the oppressed majority would be committing political suicide by unilaterally abandoning an important method of struggle.

It may be that few in this Assembly are aware that under apartheid laws any white person in racist South Africa above the age of 18 is entitled to possess 27 weapons - yes, 27 weapons. Even a well-equipped soldier sent to a battlefront does not carry 27 weapons. The De Klerk régime, despite its declared claims of opposition to violence has not even contemplated rescinding or amending the law legally arming the right-wing white fascists in apartheid South Africa.

On the other hand, a disenfranchised African can be prosecuted in apartheid South Africa for merely possessing a pen-knife with a blade longer than three inches.

The laws, policies and institutions of apartheid have been and continue to be the major cause of violence in apartheid South Africa. Any opposition, especially peaceful opposition, against the apartheid régime is considered by the trigger-happy police and troops of the régime as a target-range. That was the case at Sharpeville and Langa on 21 March 1960, when the PAC called for and led a non-violent anti-pass campaign. The perpetrators of the Sharpeville massacre are well known. Thirty years later at Sebokeng peaceful demonstrators are once more being gunned down by racist troops in the same manner as they were gunned down at Sharpeville and Langa on 21 March 1960.

(Mr. Ebrahim, PAC)

At present, violence is escalating in apartheid South Africa. The policies and actions of the régime are primarily responsible for the wave of senseless carnage that is taking place in our country. There is abundant evidence that the régime is involved in and behind the wave of violence. At the same time the régime is attempting to portray the increased violence as inter-organizational conflict or as so-called black-on-black violence. The PAC strongly condemns the sinister manoeuvres of the racist régime to fan the violence and attempt to distract the oppressed minority from uniting and concentrating against the common enemy: the apartheid State.

The PAC has not been sidetracked into this senseless carnage. The PAC is clear about who is the principal enemy and what is the priority. The priority is to eradicate apartheid and to realize national liberation and self-determination for the oppressed and dispossessed majority.

But although we are not involved in the senseless carnage, the PAC is very concerned about the ever-escalating wave of violence. We hold the régime largely responsible for the curre iolence. We of the Pan Africanist Congress of Azania, through our own experience on the ground, also acknowledge the urgent need to strengthen democratic culture among the oppressed people. We condemn any attempt by any organization to impose hegemony through the use of force or intimidation. We of the Pan Africanist Congress recognize that there are different political tendencies in Azania and that every tendency must be allowed freely to propagate its policies and programmes, provided it does not advocate racism or ethnicity. We believe such a commitment will drastically reduce the unnecessary conflict and senseless loss of life in our country.

The Pan Africanist Congress has been waging a legitimate and responsible armed struggle for nearly three decades. Many of our compatriots were hanged for their armed resistance. Despite racist brutality there is no evidence of any incident

(Mr. Ebrahim, PAC)

where the Azanian People's Liberation Army, the military wing of the Pan Africanist Congress of Azania, carried out any irresponsible armed attack against civilians. On the contrary, the hit squads of the racist régime recently literally wiped out the entire family of Mr. Chand on the border with Botswana and demolished his house with explosives. Mr. Chand, his wife and three sons, two of them mutes, were gunned down in their beds before the house was blown up.

Consequently, the Pan Africanist Congress rejects the racist demand that we disarm unilaterally. But we are prepared seriously to consider reaching a mutually agreed cessation of hostilities as called for in the Harare Declaration and in the General Assembly's consensus resolution.

The General Assembly consensus resolution is very specific in its insistence that the aim of any negotiations must not be either to reform or to amend apartheid. Apartheid must be totally and completely eradicated. Therefore, apartheid, especially its pillars, cannot be negotiated. According to the consensus resolution, what has to be negotiated is the new non-racial democratic constitution for a post-apartheid South Africa. In that regard, the Pan Africanist Congress firmly maintains that only democratically elected representatives can claim to have a mandate to draw up a new constitution for our country. As a result, the Pan Africanist Congress of Azania has called for the establishment of a democratically elected constituent assembly. Every Azanian over the age of 18, irrespective of race, colour or creed, should register on a common voters roll and vote for a democratic non-racial constituent assembly. That elected assembly would be truly representative and would have the mandate to draw up the new constitution. The Pan Africanist Congress of Azania maintains that this is the most democratic formula by which to resolve the problem in our country.

(Mr. Ebrahim, PAC)

The obvious refusal of the De Klerk régime to pronounce itself on the fundamentals - namely the unconditional implementation of the stipulated preconditions so as to create the conducive climate - its refusal to accept that there should be an agreed mutual cessation of hostilities and its refusal to accept the democratic principle of majority rule - all basic principles enunciated in the United Nations declaration - demand that the internal and international isolation and sanctions against the apartheid régime must stand and continue.

(Mr. Ebrahim, PAC)

Moreover, the United Nations consensus resolution clearly states that Member States are committed to maintaining international pressure until:

"The system of apartheid in South Africa has been eradicated and South Africa has been transformed into a united, democratic and non-racial country ...". (resolution S-16/1, p. 2)

It is obvious to all that we are far from seeing that system being put to an end now. Therefore, any relaxation of any form of struggle or pressure at this moment would only help prolong the agony of apartheid in our country.

Internal resistance, international isolation, and voluntary and selective sanctions have compelled the apartheid régime to adopt a reformist posture - I repeat, a reformist posture - because De Klerk, in a statement that he made recently, and that was quoted in the London Times of 18 April 1990, states:

"Those who enjoy full political rights at present are not prepared to bow out apologetically from the stage of history. On the contrary, a key role awaits them in any new dispensation. We shall not throw overboard the freedom and values that have been built over the three and a half decades ..."

- the three and a half decades of apartheid.

But - despite the reformist posture - apartheid cannot be reformed. It must, and will be, completely eradicated. It is the task of the international community, together with the oppressed majority in our country, speedily to bring about the eradication of the apartheid system.

The Pan Africanist Congress of Azania firmly believes that a combination of principled and united internal resistance and international political isolation and sanctions remains the best guarantee of the speedy implementation of the principles and guidelines contained in the Harare and United Nations consensus Declarations.

We of the Pan Africanist Congress urge all States Members of the United Nations, signatories to the consensus Declaration, to maintain the international

(Mr. Ebrahim, PAC)

united front and principled opposition to the apartheid system - bearing in mind that the principle objective is the total eradication of the universally condemned apartheid policies and not its reform or apartheid.

The PRESIDENT: In accordance with the decision taken by the General Assembly at its 3rd plenary meeting, held on 22 September 1989, I now call upon the representative of the African National Congress of South Africa.

Mr. MONGALO (African National Congress of South Africa (ANC)): It is a singular honour and privilege for me to greet this meeting on behalf of the National Executive Committee and the entire membership of the African National Congress.

Mr. President, it is highly gratifying to see you presiding over the deliberations of this resumed forty-fourth session of the General Assembly. It is particularly significant that it was under your presidency that the General Assembly adopted the historic consensus Declaration on Apartheid and its Destructive Consequences in Southern Africa. Your vast and profound experience in providing leadership in the many years that you have served as Chairman of the Special Committee against Apartheid will no doubt serve the session to great advantage.

It is therefore no exaggeration to state that in your endeavours you have indeed represented your country, Nigeria, admirably, a country which has contributed immensely to the struggle against apartheid.

May we also seize the opportunity to pay a tribute to the Special Committee against Apartheid, under the able chairmanship of Ambassador Ibrahim Gambari. The Special Committee has served as a source of support and inspiration to the people of South Africa fighting against apartheid. In the same vein, we should like to acknowledge the invaluable assistance that we constantly receive from the Centre against Apartheid, headed by Assistant Secretary-General Sotirios Mousouris.

(Mr. Mongalo, ANC)

The African National Congress reaffirms the assessment made in both the Harare Declaration and the consensus Declaration that

"... a conjuncture of circumstances exists, which, if there is a demonstrable readiness on the part of the Pretoria régime to engage in negotiations genuinely and seriously ... could create the possibility to end apartheid through negotiations". (resolution S-16/1, p. 4)

In our determination fully to exploit the favourable conjuncture, we have been guided by the following irrefutable facts.

First, apartheid is a bane and scourge upon all the people of South Africa and southern Africa and must be eradicated without waste of time.

Second, apartheid cannot be reformed and must be eradicated.

Third, all South Africans, for better or for worse, must ultimately share a common fate and it is our responsibility to intervene to ensure that the best possible outcome is achieved for all.

Fourth, the authors and protagonists of apartheid cannot dictate the agenda and pace of the process of eradicating that inhuman system.

Fifth, in the current circumstances, it is more important than ever to resist the dangerous temptation to indulge in mindless rhetoric and irresponsible posturing.

Sixth, it has never been more necessary than today to bring pressure to bear upon the South African régime in order that it should pursue the most reasonable and constructive attitude in the search for a just and lasting solution to the problems of apartheid.

Seventh, a just and lasting solution to the problem of apartheid must necessarily consist in the creation of a democratic, non-racial and united South Africa.

(Mr. Mongalo, ANC)

Eighth, the most effective way in which the international community can help enlist the necessary co-operation of the Pretoria régime is through the maintenance of existing pressures - especially sanctions;

Ninth, such pressures should be lifted only when profound and irreversible change has occurred in South Africa and that all of us should work unstintingly for the early advent of that moment.

As the Assembly is aware, the African National Congress has always been central to the struggle against apartheid and remains so to this day. In today's circumstances, guided by the irreducible facts enumerated above, we are determined that we shall do all in our power to deny any and all parties to the conflict any pretext for wasting opportunities for forward movement through deliberate or inadvertent procrastination. It is in this sense and spirit that our Deputy President first engaged F. W. de Klerk and some of his ministers in informal contacts even before he was released from prison.

(Mr. Mongalo, ANC)

In the same vein we have engaged De Klerk and his ministers in formal contacts, such as the Groote Schuur and Pretoria meetings, both of which resulted in the joint issuing of minutes. In all cases our objective was to help accelerate the removal of obstacles to negotiations. Not surprisingly, that enterprise has not been without set-backs. It has, however, also scored some advances.

We certainly welcomed the unbanning of the African National Congress and the unbanning of, or lifting of restrictions on, 32 other organizations and on hundreds of individuals. We hope that the release of political prisoners, which began on 1 September this year, will remain on course and proceed swiftly. We would also like to see De Klerk's Government remain true to its word by indemnifying all political exiles, as promised, on 1 October.

Nine months have elapsed since the historic consensus Declaration was adopted. Two months ago the Secretary-General, in his report of 1 July 1990, observed that:

> "the bold and courageous policy to which President De Klerk has committed his Government opens up distinct possibilities for the dismantling of the apartheid system." (A/44/906, para. 10)

In the same report, cautioning against premature optimism, he noted that:

> "the political process towards the dismantlement of the apartheid system is still at an early stage." (ibid., para. 16)

The Secretary-General also made the telling observation that:

> "The issue of violence, not least in Natal, urgently needs to be addressed at the highest level since, if it is allowed to continue unrestrained, the consequences could well present serious difficulties for the political process." (ibid., para. 13)

It is our considered view that the observations of the Secretary-General are very pertinent and deserve some attention. It is precisely in addressing the

(Mr. Mongalo, ANC)

issues raised that we may be enabled to make a determination as to the South African régime's compliance with the provisions of the United Nations Declaration. While it may be true that the South African régime had enunciated bold and courageous policies, it is a matter of deep regret that it has not been able fully to meet the requirements of the Declaration.

To begin with, troops remain in the townships, especially in Natal, in the form of the notorious Battalion 32 and other army units. Political trials, as well as detentions without trial, continue. The Pretoria régime still retains its awesome powers of repression and its potential to undo most, if not all, of the measures it has hitherto taken. This is so because wide-ranging repressive laws, such as the Internal Security Act and the Public Safety Act, remain intact on Pretoria's statute books. The General Assembly is aware that it is under cover of the Internal Security Act that the Pretoria régime continues the practice of detention without trial. That same Act provides Pretoria with the powers, inter alia, to declare organizations unlawful, to prohibit certain publications, to initiate investigations into organizations and publications with a view to considering their prohibition, to maintain a consolidated list of members of unlawful organizations and to ban and restrict organizations and individuals.

The Public Safety Act empowers Pretoria to declare a state of emergency at its discretion, as it did when it recently designated 27 localities as "affected areas", on which it then imposed the state of emergency that it had initially and partially lifted in three out of four of South Africa's provinces on 7 July of this year.

It is clear, therefore, that there can be no permanence or irreversibility to the measures that De Klerk has hitherto taken without the repeal of Pretoria's entire canon of repressive legislation.

(Mr. Mongalo, ANC)

The violence that continues to escalate is also an ongoing and growing cause for serious concern among us. Whereas that violence seemed at one time to have been confined to the province of Natal, it is now spilling over into other provinces at the instance of Inkatha and of white, extreme-right-wing vigilantes, aided and abetted by significant elements in Pretoria's security establishment. Welkom, in the Orange Free State, and Sebokeng, in the Transvaal, have been particularly hard hit. Convinced that De Klerk has the obligation to curb and stop this violence, we have accordingly on numerous occasions urged him, both in private and in public, to do so. We have even gone further. Through a prominent provision of the Grotte Schuur Minute we have committed ourselves to the speedy resolution of this conflict. In principled support of that pledge we have also suspended all armed actions in order to contribute to a climate free of violence.

Church leaders, in an effort to end the spiral of violence, recently submitted to De Klerk sworn affidavits clearly indicating police complicity in the violence. The Goldstone Commission itself, which was instituted by the South African régime to investigate the shootings in Sebokeng, recently published its findings, which concluded that the police action was unjustified and recommended that the conduct of various policemen be investigated by the Attorney General.

The African National Congress, for its part, is committed to a search for a speedy end to the carnage. In this connection a committee comprising members of our National Executive Committee has been charged with the responsibility of establishing liaison with the various parties to the conflict. That even includes arranging meetings between the ANC leadership and whoever might be relevant to such a resolution.

The General Assembly will also be pleased to know that only yesterday, 11 September 1990, Deputy President of the ANC Nelson Mandela led a 22-person

(Mr. Mongalo, ANC)

delegation, mainly from Natal, which met De Klerk and three ministers to discuss precisely this violence. The following proposals were made to the Government.

One, the central Government must take full charge of law and order in the whole Province of Natal. A central command structure that will command all security forces in the area should be established so that there is a central point of reference.

Two, a high-level working group between the Government and the ANC must be established in order to help with the restoration of law and order.

Three, the security forces must be impartial.

Four, effective liaison and monitoring mechanisms between the ANC and the central command of the province must be established.

Five, prosecutions must be mounted against individuals where evidence of the commission of crimes exists.

Six, the state of emergency in Natal must come to an end.

Seven, special courts and prosecutors must be established. An effective witness-protection programme must be instituted in order to restore the system of justice.

Eight, the amendment of the Natal Code on cultural weapons must be reserved, especially in view of rallies planned for Natal this coming weekend.

Nine, protection must be given to chiefs who will address hostel dwellers and appeal to them to end the violence.

The highest priority of the African National Congress is to move the political process towards the eradication of apartheid forward as rapidly as possible. Nevertheless, however large our role may be perceived to be, it must also be acknowledged that there are other significant parties at play in the South African conflict. It is to be hoped that all those who cherish the ideal of a democratic South Africa will join the efforts towards the realization of that objective.

(Mr. Mongalo, ANC)

It is also to be hoped that, consistent with the Declaration, the people of the world will strengthen those who are fighting against apartheid by increasing material assistance to them. In this regard we should like to take this opportunity to appeal to the international community, including the specialized agencies of the United Nations, to assist in the programme for the reintegration of ex-political prisoners and the resettlement of the returning political exiles.

(Mr. Mongalo, ANC)

In all that we have said we have sought to address the question whether the General Assembly could in all seriousness determine that the changes that have occurred in South Africa are of a profound and irreversible nature. Nothing would have pleased us more than to ask you to relax some of the categories of commitment you have made in support of the struggle against apartheid. Sadly, that moment has not yet come. We cannot but arrive at the conclusion that the changes that have occurred are not of such a nature. Under the circumstances it would seem that the only logical course of action left to the General Assembly would be to maintain those measures that have been imposed against the apartheid régime with a view to encouraging it to abandon apartheid.

The efforts of the South African people, combined with existing international pressures, have helped create the possibilities for forward movement in the political process in the direction of eradicating apartheid. Indeed, there has even been some movement. To ensure that that movement continues to the point where it becomes "profound and irreversible", we solemnly appeal to the international community to maintain existing pressures on Pretoria until the people of South Africa themselves advise you to relax and even lift them. We hope that that moment is not too far in the future.

The meeting rose at 1.25 p.m.